HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 16903 of 2000

Dated 13th June, 2007

Between

Yerramada Sathaiah and anr

…Petitioners

and

Authority appointed under the Minimum Wages Act
And Labour Officer, Nalgonda, Nalgonda district, and, anr

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 16903 of 2000

ORDER:

In this Writ Petition, the petitioners have questioned the order dated 22-10-1999 passed in M.W.Case No. 59 of 1998 by the authority appointed under the Minimum Wages Act-Labour Officer, Nalgonda.

The second respondent herein had filed an application before the first respondent-authority appointed under the Minimum Wages Act, claiming an amount of Rs.4,902-50 NP stating that he was working as Filler with the petitioners, who were dealing with the petroleum products and he was not paid the minimum wages as notified under the Minimum Wages Act for the period commencing from 1-2-1998 to 30-6-1998.

Counter affidavit was filed before the said authority stating that the workman/second respondent was paid minimum wages, but however, he did not work for the period from 1-6-1998 to 30-6-1998.

The case was posted for hearing on 14-8-1998 and thereafter the case was adjourned from time to time on 14 occasions as the learned counsel for the petitioners/respondents was absent and on 1-4-1999 they were set ex parte. Thereafter, an affidavit was filed by the petitioners/respondents to give further opportunity to produce evidence. Even thereafter also the case was adjourned several times as the counsel for the petitioners/respondents was absent. In that view of the matter, the authority had ordered the petitioners/respondents to deposit an amount of Rs.4902/- with it.

In this Writ Petition, it is submitted by the learned Counsel appearing for the petitioners that as per the acquittance register, wages were paid as notified under the Act and it also indicates that the workman/second respondent did not work for the period from 1-6-1998 to 30-6-1998.

However, it is to be noted that in spite of ample opportunity given to the petitioners by the authority under the Minimum Wages Act, they did not produce any evidence to prove that minimum wages were paid to the workman-second respondent. Further, the Minimum Wages Act is a beneficial Legislation enacted in favour of the workman not to deprive them of minimum wages. In that view of the matter, I do not find any illegality in the impugned order passed by the authority under the Minimum Wages Act.

The Writ Petition is devoid of merits and is accordingly dismissed. No order as to costs.

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JUSTICE R. SUBHASH REDDY

DATE:
Msnr.